IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2184 OF 2005

Maharashtra State Electricity Board ... Petitioner

V/s.

Maharashtra Electricity Regulatory Commission & Ors. ... Respondents

Mr. P.P. Chavan i/b. Little & Co. for petitioner.

CORAM : F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED : 17th October, 2006

P.C.

. When the petition was filed, at the relevant time, the Appellate Authority under Section 111 of the Electricity Act, 2003 has not been constituted. It has since been constituted. Considering the above, we grant leave to the petitioner to withdraw this petition and prefer appeal before the Appellate Authority. If the appeal is filed within eight weeks from today and considering that the petition was pending before this Court, the respondents will not raise plea of limitation and appeal will be heard on merits.

2. With the above observations, the petition stands disposed of.

[F.I. REBELLO, J.]

[ANOOP V. MOHTA, J.]